

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF INTERNATIONAL TELECHARGE,)	
INC., FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO OPERATE AS A)	CASE NO. 10002
RESELLER OF TELECOMMUNICATION SERVICES)	
WITHIN THE STATE OF KENTUCKY)	

INTERIM ORDER ON REHEARING

On August 24, 1988, the Commission issued an Order denying International Telecharge, Inc.'s ("ITI") request for authority to provide operator-assisted, long-distance services within Kentucky. On September 13, 1988, ITI filed for rehearing of the Commission's August 24, 1988 Order. A new proposed tariff was also filed on September 19, 1988. On October 3, 1988, the Commission granted ITI's motion for a rehearing.

An informal conference was held on November 11, 1988 and on November 18, 1988, ITI filed its response to the informal conference and to questions posed to it at that conference. On November 22, 1988 an informal conference memorandum was filed. On December 1, 1988, ITI filed proposed corrections to the November 22, 1988 memorandum.

On November 23, 1988, the Commission issued an Order stating that it may address the substantive aspects of ITI's application on rehearing without a public hearing and gave opportunity for the record to be completed through filed comments or summaries of positions. Comments were filed by South Central Bell Telephone

Company ("SCB") on December 22, 1988, and instead of comments AmeriCall Systems of Louisville ("AmeriCall") filed a request for a hearing on December 27, 1988. On January 3, 1989, ITI filed its response to AmeriCall's request and on January 4, 1989, ITI filed its reply to the comments of SCB. By Order dated January 25, 1989, AmeriCall's request for a hearing was denied.

On October 14, 1988, U.S. District Judge Harold Greene entered an Opinion and Order in United States of America v. Western Electric Company, Inc. (Civil Action No. 82-0192) in which all regional Bell Operating Companies ("BOCs") were ordered to mail ballots to premises owners where BOC-provided pay telephones are located. The court-ordered ballot allows premises owners to choose an interexchange carrier to handle interLATA¹ operator-assisted traffic originating from these pay telephones. ITI is on the SCB ballot and is one of numerous interexchange carriers that may be chosen to provide this service. ITI is required to receive Commission authorization prior to April 1, 1989 before it can provide the intrastate portion of the service.

Due to the above-mentioned time constraints, the Commission will consider in this Order only the portion of ITI's application that seeks to allow it to provide operator-assisted service from BOC pay telephones.

The Commission, after considering the evidence of record and being sufficiently advised, is of the opinion and finds that it

¹ Local Access and Transport Area.

will grant ITI authority to operate at this time, limited to BOC pay telephones, provided that it complies with the following conditions of service:

(1) Rates. The rates charged by ITI shall be equal to or less than the maximum approved rates for AT&T Communications of the South Central States, Inc., a dominant carrier. These rates should be contained in ITI's tariff.

(2) Validation of calling card calls. ITI shall only accept calls made by calling cards for which validation of the calling card numbers is available to ITI. Accordingly, unless ITI has the capability of validating a credit card, it shall not complete the call.

(3) Access charges. ITI shall report its actual Kentucky intrastate usage to its carrier who will in turn use this data to calculate and pay the appropriate access charges. In addition, ITI shall file on a quarterly basis its intrastate usage reports with this Commission.

(4) Identification and customer confusion. ITI operators shall clearly identify the company's name to all end-users.

The Commission finds that ITI can furnish adequate, efficient, and reasonable service if the above-stated conditions of service are maintained. These mandatory conditions of service are the minimum required for the provision of operator-assisted service from a BOC pay telephone. ITI shall file a tariff conforming to these conditions for this limited service no later than April 1, 1989.


The Commission's Opinion and Order relating to the remaining authority requested in ITI's application, and including additional conditions of service, will follow shortly.


BE IT SO ORDERED.

Done at Frankfort, Kentucky, this 22nd day of March, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director